

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (303) 740-1980

**INTELLECTUAL PROPERTY LAW  
1279 OAKMEAD PARKWAY  
SUNNYVALE, CA 94085-4040**

FACSIMILE: (303) 740-6962

RECEIVED  
CENTRAL FAX CENTER

MAY 09 2008

# FACSIMILE COVER SHEET

Deliver to: Musa, Abdelnabi O., USPTO

Art Group: 2146

Facsimile No.: (571) 273-8300

Date: May 9, 2008

From: Aslam A. Jaffery, Reg. No. 51,841

Our Docket No.: 6570P044

Number of pages 17 including this sheet.

Application No.: 10/748,774

Filing Date: 12/30/2003

**Docket Due Date(s):** 5/21/2008 5/29/2008

**Enclosed are the following documents:**

<input checked="" type="checkbox"/> Amendment: <u>Response</u> ( <u>15</u> pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief ( <u>    </u> pgs)	<input type="checkbox"/> Notice of Appeal (in duplicate)
<input type="checkbox"/> Application: _____ ( <u>57</u> pgs) w/cover & abstract)	<input type="checkbox"/> Petition for: _____
<input type="checkbox"/> Assignment & Cover Sheet ( <u>    </u> pgs)	<input type="checkbox"/> Request for Continued Examination (RCE) (in duplicate)
<input checked="" type="checkbox"/> Certificate of <u>Facsimile</u>	<input type="checkbox"/> Reply Brief ( <u>    </u> pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA ( <u>    </u> pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: <u>    </u> sheets, <u>    </u> figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: _____	<input type="checkbox"/> Response to Written Opinion ( <u>    </u> pgs)
<input type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 ( <u>    </u> pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> Transmittal Letter

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

**Krista Mathieson**

**5/9/2008**

Date \_\_\_\_\_

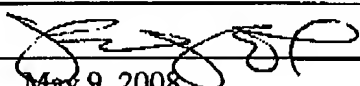
**Confidentiality Note:** The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

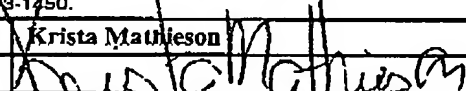
**If you do not receive all the pages, or if there is any difficulty in receiving, please call: (303) 740-1980 and ask for Krista Mathleson.**

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	10/748,774
		Filing Date	December 30, 2003
		First Named Inventor	Gregor K. Frey
		Art Unit	2146
		Examiner Name	Musa, Abdelnabi O.
Total Number of Pages in This Submission	16	Attorney Docket Number	6570P044

RECEIVED  
CENTRAL FAX CENTER  
MAY 09 2008

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         - certificate of Facsimile       </div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Aslam A. Jaffery, Reg. No. 51,841 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	May 9, 2008

CERTIFICATE OF MAILING/TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Typed or printed name	Krista Mathieson
Signature	
Date	May 9, 2008

Based on PTO/SB/21 (10-07) as modified by Blakely, Sokoloff, Taylor & Zafman (vln 10/05/2007).  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

RECEIVED  
CENTRAL FAX CENTER

MAY 09 2008

Our Docket No: 6570P044

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gregor K. Frey, et al.

Application No: 10/748,774

Filed: December 30, 2003

For: Method and System for Monitoring  
Architecture Employing a Hierarchical  
Monitor Tree for Monitoring System  
Resources in a Data Processing Environment

Examiner: Musa, Abdelnabi O

Art Unit: 2146

Confirmation No. 8721

RESPONSE TO OFFICE ACTION

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed February 21, 2008, Applicants respectfully request the Examiner to enter the following amendments and to consider the following remarks.

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.

May 9, 2008

Date of Deposit

Krista Mathieson

Name of Person Mailing Correspondence

Signature

May 9, 2008  
Date

Docket No.: 6570P044  
Application No.: 10/748,774

1

**AMENDMENT TO THE TITLE**

**RECEIVED  
CENTRAL FAX CENTER**

**MAY 09 2008**

Please amend the title as follows:

Method and System for Monitoring Architecture Employing a Hierarchical  
Monitor Tree for Monitoring System Resources in a Data Processing Environment